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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

SONYA RENEE *et al.*,

Plaintiffs,

v.

MARGARET SPELLINGS, in her
official capacity; UNITED STATES
DEPARTMENT OF EDUCATION,

Defendants.

Case No. 07-04299 PJH

**DECLARATION OF TARA KINI IN SUPPORT OF
PLAINTIFFS' CONSOLIDATED MEMORANDUM
OF POINTS AND AUTHORITIES IN OPPOSITION
TO DEFENDANTS' CROSS MOTION FOR
SUMMARY JUDGMENT & REPLY IN SUPPORT OF
PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT**

Time: 9:00 AM

Date: April 23, 2008

DECL. OF TARA KINI IN SUPPORT OF PLTS. CONSOLIDATED MPA IN OPPOSITION TO DEFS. CROSS-MOTION
FOR SUMMARY JUDGMENT & REPLY IN SUPPORT OF PLTS. MOTION FOR SUMMARY JUDGMENT & EXHIBITS
IN SUPPORT (CASE NO. 07-04299 PJH)

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DECLARATION OF TARA KINI

I, Tara Kini, hereby declare:

1. I am an attorney admitted to practice in California, employed as an attorney by Public Advocates, Inc., and counsel for Plaintiffs. I make this declaration on my own personal knowledge in support of Plaintiffs' motion for summary judgment and in opposition to Defendants' cross motion for summary judgment. If called as a witness, I am competent to testify to the matters set forth in this declaration.

2. Attached to Plaintiffs' Consolidated Memorandum of Points and Authorities in Opposition to Defendants' Cross Motion for Summary Judgment and Reply in Support of Plaintiffs Motion for Summary Judgment (hereinafter "Consolidated Memorandum of Points and Authorities") as **Exhibit 18** are true and correct copies of State Reporting Guidance on Title II of the Higher Education Act, downloaded from the Title II website administered by the U.S. Department of Education. **Exhibit 18(a)** consists of the 2001 glossary of terms, *available at* <https://title2.ed.gov/scripts/statereports/Glossary.asp>, as well as the "Welcome to the 2001 State Reports Website" home page. **Exhibit 18(b)** consists of the glossary (Appendix B) excerpted from the U.S. Department of Education's *Higher Education Act Title II Reporting Reference and User Manual* (Aug. 2006), *available at* <https://title2.ed.gov/guide.asp>. These documents may properly be considered official publications of the U.S. Department of Education and public records (*see* FED. R. EVID. 902(5), 1005).

3. Attached to Plaintiffs' Consolidated Memorandum of Points and Authorities as **Exhibit 19(a)-(g)** are true and correct copies of seven leaflets published by the California Commission on Teacher Credentialing ("CTC") describing the requirements for various credentials it issues, downloaded from the website of the California Commission on Teacher Credentialing at <http://www.ctc.ca.gov/credentials/leaflets.html>. These documents may properly be considered official

publications of the CTC and public records (*see* FED. R. EVID. 902(5), 1005). The leaflets are as follows:

- a. Multiple Subject Teaching Credential Requirements for Individuals Prepared in California (Leaflet No. CL-561C), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl561c.pdf>
- b. District Intern Credential for Multiple Subject, Single Subject, and Education Specialist Instruction Teaching (Leaflet No. CL-707B), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl707b.pdf>
- c. District Intern Credential (Leaflet No. CL-709), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl709.pdf>
- d. University Internship Credentials (Leaflet No. CL-402A), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl402a.pdf>
- e. Provisional Intern Permit (Leaflet No. CL-856), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl856.pdf>
- f. Short Term Staff Permit (Leaflet No. CL-858), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl858.pdf>
- g. Emergency 30-Day Substitute Teaching Permit (Leaflet No. CL-505P), *available at* <http://www.ctc.ca.gov/credentials/leaflets/cl505p.pdf>

4. Attached to Plaintiffs' Consolidated Memorandum of Points and Authorities as **Exhibit 20** is a true and correct copy of an excerpt (pp. 1-15) of *Improving Teacher Quality Non-Regulatory Guidance, Revised Draft* (Sept. 12, 2003). This document was published by the U.S. Department of Education and was provided to Plaintiffs by Michael Hyde, counsel for Defendants, on December 21, 2007.

5. Attached to Plaintiffs' Consolidated Memorandum of Points and Authorities as **Exhibit 17** is a chart summarizing California's teacher credentialing laws which I produced in support of this brief. It is meant to aid the court as a summary of California's teacher credentialing structure. I attest that it is an accurate summary of California's law and regulations cited therein regarding the types of authorizations issued for multiple subject (elementary, including grades 7 and 8) and single subject (secondary) teachers.

6. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 12, 2008

A handwritten signature in black ink that reads "Tara Kini". The signature is written in a cursive, flowing style. It is positioned above a horizontal line.

TARA KINI